

### REMARKS

Claims 10 and 12-16 are pending in the application. Claims 10 and 12-16 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 10 the phrase “along another direction which is parallel to the first direction” is asserted to be vague and indefinite. Claim 15 is asserted to be vague and indefinite because it appears to be redundant to claim 16. In claim 16, the phrase “a size” is asserted to be vague and indefinite because the term is repeated twice in the claim.

Claim 10 has been amended to delete the objected to language, claim 15 has been cancelled and claim 16 has been amended to change the second instance of “a size” to -- the size--. These amendments are clarifying in nature and are not believed to be and are not narrowing in nature. Therefore, it is respectfully requested that the Examiner’s 35 U.S.C. § 112, second paragraph rejections be withdrawn.

Claims 10, 14-16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Dunn (U.S. Pat. No. 5,193,426). Claims 12 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dunn in view of Graf et al. (U.S. Pat. No. 3,448,645).

The punching machine according to the present invention has a specific point where the punching machine has two positioning devices (53, 69) which transfers the sheet shaped material in only one direction (the X-axis or the first direction). Therefore, claim 10 has been amended to recite “so that the workpiece (W) can be advancedly shifted in the first direction (X) by alternative operations of the first positioning device (53) and the second positioning device (69), and that the workpiece (W) can be reversedly shifted in the first direction (X) by the alternative operations of the first positioning device (53) and the second positioning device (69).”

In other words, the workpiece (W) can be leftwardly (in Figs. 7A to 7D) shifted in the first direction (X) by alternative operations of the first positioning device (53) and the second positioning device (69) as shown in Figs. 7A to 7D. In addition, after the above shifting operation, the workpiece (W) can be rightwardly (in Figs. 7A to 7D) shifted in

the first direction (X) by the alternative operations of the first positioning device (53) and the second positioning device (69).

In contrast, the Dunn reference discloses a workpiece mounted on a conveyor 78 which is transferred in a first direction (up and down direction in the FIG. 4) and where the conveyor 78 is moved in a second direction (right and left directions in the FIG. 4). Therefore, when the workpiece, which is longer than the tables 140,140 in the up and down direction in the FIG. 4 is mounted on the tables 140,140, an over length portion is put on the working shop floor, and when the workpiece is transferred in the right and left directions in FIG. 4 by the servo motor 26, the over length portion of the workpiece which is put on the working shop floor is slid on the working shop floor in the right and left directions in the FIG. 4, so that the over length portion of the workpiece which is put on the working shop floor is scratched by the floor.

Additionally, the Dunn reference does not appear to have two separate positioning devices for positioning a workpiece in a first direction. The Examiner has stated that the Dunn reference discloses a first positioning device (86, 106, and 106a) and a second positioning device (86, 106, and 106a) but identified the same elements for both positioning devices. It appears than the Dunn reference has a single positioning device and not two separate, first and second positioning devices, for positioning a workpiece in the same direction.

The other cited reference of Graf et al. discloses a turret punch press with a coiler to punch a coiled material. However, the punch press has only one positioning device even though the punch press has a plurality of clamps. Therefore, the punch press disclosed by Graf et al. does not disclose two position devices as recited in the second wherein clause of the amended claim 10.

By the foregoing amendments, Applicants assert that they have placed claims 10, 12-14 and 16 in condition for allowance. Reconsideration and withdrawal of the rejections are respectfully requested.

As all grounds of rejection have been addressed, entry of this Amendment and issuance of a Notice of Allowance of claims 10, 12-14 and 16 are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Please charge any shortage or credit any overpayment of fees to BLANK ROME COMISKY & McCAULEY, LLP, Deposit Account No. 23-2185 (000004.00661). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this response, Applicants hereby petition under 37 C.F.R. §1.36(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

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In the Claims:

Claims 10 and 16 have been amended as follows:

10. (Twice Amended) A punching machine, comprising:

a body frame having a table (33, 35), the table supporting a workpiece (W) to be worked;

a first positioning device (53) mounted on the table, the first positioning device positioning the workpiece in a first direction (X);

a second positioning device (69) mounted on the table, the second positioning device positioning the workpiece in the first direction; and

a working head (8, 9, 11) mounted in the body frame so as to be positioned in a second direction (Y) perpendicular to the first direction to punch the workpiece, thereby punching the workpiece along [a direction which is parallel to] the second direction,

wherein the first positioning device (53) and the second positioning device (69) are arranged in series in the first direction (X), thereby the workpiece (W) is transferred only in the first direction by one of the first positioning device and the second positioning device; and the workpiece is not transferred in the second direction (Y); and

wherein the first positioning device (53) and the second positioning device (69) are constructed in a manner such that the first positioning device and the second positioning device may alternately transfer the workpiece (W) in the first direction (X) during punching operation, [thereby punching the workpiece along another direction which is parallel to the first direction] so that the workpiece (W) can be advancingly shifted in the first direction (X) by alternative operations of the first positioning device (53) and the second positioning device (69), and that the workpiece (W) can be reversingly shifted in the first direction (X) by the alternative operations of the first positioning device (53) and the second positioning device (69).

16. (Twice Amended) A punching machine according to Claim 14, wherein the second positioning device (69) includes a third clamp (69C, 69D) to clamp the first margin of the workpiece (W) in the first direction;

wherein the second positioning device (69) further includes a fourth clamp (69A, 69B) to clamp the second margin opposite to the first margin of the workpiece wherein the fourth clamp is fixedly mounted to the second positioning device; and

wherein the third clamp is movably mounted to the second positioning device in the second direction (Y) so that the third clamp can be moved to approach to the fourth clamp in the second direction thereby enabling the clamping of the workpiece even though [a] the size of the workpiece in the second direction varies.